



RCE 12872
Atty. Dkt. No. 016790-0376

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Heinrich ULRICH, et al
Title: MICROSCOPE FOR
MEASURING AN OBJECT
FROM A PLURALITY OF
ANGULAR POSITIONS
Appl. No.: 09/331,189
Appl. Filing Date: 11/29/1999
Examiner: J. Winstedt
Art Unit: 2872

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RCE 2872
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RCE

J/M (initials)
12/28/01

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Commissioner for Patents
Box RCE
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

- Please enter and consider the amendment/reply previously filed on November 20, 2001.
- Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.
- Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.
- Other ____.

b. Enclosed are:

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740.00 OP

- Amendment/Reply.
- Affidavit(s)/Declaration(s).
- Information Disclosure Statement.
- Form PTO-1449 with copies of ___ listed reference(s).
- Other .

Miscellaneous:

- Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)			\$740.00	\$740.00
Total Claims: <u>20</u>	<u>20</u>	<u>0</u>	x \$18.00 =	<u>\$0.00</u>
Independents: <u>2</u>	<u>3</u>	<u>0</u>	x \$84.00 =	<u>\$0.00</u>
First presentation of any Multiple Dependent Claims:			+ \$280.00 =	<u>\$0.00</u>
			CLAIMS FEE TOTAL: =	<u>\$740.00</u>

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[X] Extension for response filed within the first month:	\$110.00	\$110.00
[] Extension for response filed within the second month:	\$400.00	\$0.00
[] Extension for response filed within the third month:	\$920.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,440.00	\$0.00
[] Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:	\$110.00
	CLAIMS AND EXTENSION FEE TOTAL:	\$850.00
[] Small Entity Fees Apply (subtract ½ of above):		\$0.00
[] Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
	TOTAL FEE:	\$850.00

[X] A check in the amount of \$850.00 to cover the filing fee is enclosed.

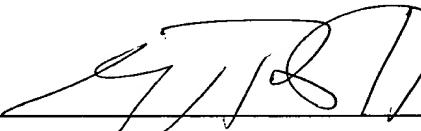
[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 21, 2001

By

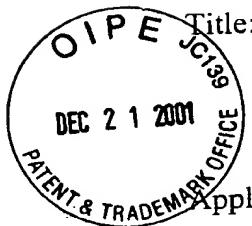


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heinrich ULRICH et al.



Title: MICROSCOPE FOR
MEASURING AN OBJECT
FROM A PLURALITY OF
ANGULAR POSITIONS

Appl. No.: 09/331,189

Filing Date: November 29, 1999

Examiner: J. Winstedt

Art Unit: 2872

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AMENDMENT AND REPLY UNDER §1.116

Commissioner of Patents
Washington, D.C. 20231

BOX AF

Sir:

In response to the Final Office Action mailed on August 23, 2001, please amend the above-identified application as provided below. In accordance with 37 C.F.R. 1.121(b), a marked up version of the amended claims showing the changes made with brackets and underlines is attached as Exhibit A.

IN THE CLAIMS:

Please amend claims 16, 17, 20, 25, 29, 30, and 33 as follows:

~~16. (Thrice Amended) A confocal microscope defining a path of rays and comprising an ocular, a tube lens and a rotatable optical system for image rotation disposed in the path of rays of the confocal microscope, wherein the rotatable optical system is disposed between a scanning lens and a scanning mirror of a laser scanner in the path of rays of the confocal microscope.~~